

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A
JUDGE, NO. 03-98

Supreme Court Case No.:

_____ /

NOTICE OF FORMAL CHARGES

TO: The Honorable Robert Lance Andrews
Circuit Judge
Seventeenth Judicial Circuit
Room 1020 Broward County Courthouse
201 S.E. 6th Street
Fort Lauderdale, FL 33301

YOU ARE HEREBY NOTIFIED THAT the Investigative Panel of The Florida Judicial Qualifications Commission, by a vote of not less than two-thirds of those members present at its meeting held in Tampa, Florida on September 12, 2003, has determined, pursuant to Rule 6(f) of the Rules of the Florida Judicial Qualifications Commission, as revised, and Article V, Section 12(b) of the Constitution of Florida, that probable cause exists for formal proceedings to be instituted against you to inquire into the following charges, *to wit*:

1. In the case of Carnato v. Novartis Pharmaceuticals Corp., you made various inappropriate statements concerning the defendant, Novartis Pharmaceuticals Corp. (“Novartis”), in an interview with a reporter for the Miami Business Review including the following statements:
 - a. Novartis was trying to bury the plaintiffs in documents;
 - b. Novartis has only itself to blame for developments in the litigations;
 - c. The defense’s strategy backfired; and,

- d. The entire database [the Special Master is creating at NPC's expense] would provide a national plaintiffs' blueprint for filing suit against Novartis over Parlodel [the drug in the case].
2. These statements were inappropriate and evidenced a bias against the defendant, Novartis.

PLEASE TAKE NOTICE in accordance with the provisions of the Rules of the Florida Judicial Qualifications Commission, as revised, that you have twenty (20) days following service of this notice to file a written answer to these charges. The original of your response and all subsequent pleadings must be filed with Clerk of the Supreme Court of Florida, and you must also comply with the requirements of the Supreme Court requiring simultaneous filing of a DOS formatted three and one-half diskette in Word Perfect 5.1 (or higher) format. Copies of your response should similarly be served on the undersigned General Counsel and all persons (other than your counsel) listed in the certificate of service below.

Dated this ____ day of December, 2003.

INVESTIGATIVE PANEL OF THE
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

By: /s/ Richard C. McFarlain
Richard C. McFarlain, Chair
Florida Bar No. 052803
1110 Thomasville Road
Tallahassee, FL 32303-6224
(850) 488-1581
Chair, Florida Judicial
Qualifications Commission

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Formal Proceedings has been furnished by **United States Mail** to the Honorable Robert Lance Andrews, Circuit Judge, Seventeenth Judicial Circuit, Broward County Courthouse, 201 S.E. 6th Street, Fort Lauderdale, FL 33301 and to William R. Scherer, Esq., Counsel to the Respondent, P.O. Box 14723, Fort Lauderdale, FL 33302 on this ____ day of December , 2003.

/s/ Brooke S. Kennerly
Executive Director

